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Testimony of Julie Becker
Legal Aid Society of the District of Columbia¹

Committee on Consumer and Regulatory Affairs
Council of the District of Columbia

Public Roundtable on
Office of the Chief Tenant Advocate

July 10, 2006

We would like to thank Councilmember Graham for holding this oversight hearing regarding the Office of Tenant Advocate. One year after the passage of the law creating the office, and nearly six months after the appointment of an acting Tenant Advocate, the office is still having difficulty finding its focus and being effective for tenants in the District. We are hopeful that these are merely startup issues, and that the office will be fully up and running soon. We would encourage another oversight hearing in a few months, to review what progress has been made.

The Office of Tenant Advocate has a broad mandate. The need for assistance to tenants, both legal and otherwise, is overwhelming. In this climate, it is unsurprising that any new office or official would have some difficulty creating and implementing priorities. Over the last several months, members of the tenant legal services community have been meeting with both Ms. Shreve and the Acting Tenant Advocate, Timothy Handy, in the hopes of assisting the office in deciding where best to focus its efforts. We appreciate their willingness to meet with us, and we have no doubt that they are sincerely committed to making the office a success.

Nonetheless, in the several months we have been discussing the office, we have seen far less progress than we – or the tenants of the District – might have hoped. Among the tasks the office has yet to accomplish are:

¹ The Legal Aid Society of the District of Columbia was formed in 1932 to “provide legal aid and counsel to indigent persons in civil law matters and to encourage measures by which the law may better protect and serve their needs.” Over the last 70 years, tens of thousands of the District’s neediest residents have been served by Legal Aid staff and volunteers. Legal Aid currently works in the following three priority areas: housing, family law, and public benefits.

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- The office has no staff attorney. As a point of entry for tenants with a variety of legal issues, the office runs a significant risk of providing inappropriate legal advice or information to tenants. Hiring at least one attorney, who can assist tenants in person and by phone, should be an extremely high priority.
- The office has yet to contract for the \$200,000 worth of legal services to tenants included in its budget. As of this date, there are fewer than 20 attorneys providing free legal services to tenants on a full-time basis in the District of Columbia. Because the demand for these services far outstrips the supply, the budget for the office includes funding for a contract with outside legal service providers to increase the available resources for tenants.

We understand that Dr. Canavan and Ms. Shreve have been working to get this money out the door, and we know they have faced bureaucratic obstacles in doing so. Nonetheless, every month that these funds sit in the District's coffers is a month in which tenants cannot fully exercise their rights because they lack counsel to represent them. That said, we have high hopes that the first dollars will be spent under this line item in the very near future and we appreciate the Council's efforts in allocating this money to this worthy purpose.

- The office remains tied to the bureaucracy of DCRA. Even without being an independent office – a modification to the law that we support – the Office of Tenant Advocate can and should avoid becoming entangled in the difficulties that plague DCRA. The Department of Consumer and Regulatory Affairs is a notoriously difficult place from which to obtain information, including basic materials such as housing inspection reports or condo conversion filings. Ideally, the Office of Tenant Advocate would be an ombudsman within the government, assisting tenants in obtaining this sort of information. However, it has not yet undertaken this role. Although DCRA has recently begun sharing information on Offers of Sale and conversion requests, tenants and their advocates still lack a one-stop (or even two-stop) process for obtaining reliable information about their buildings.

In April, the legal services community sent a letter to Mr. Handy, then the Acting Tenant Advocate, regarding our suggestions for the focus of the Office of Tenant Advocate. We know that Ms. Shreve is working on some of these items, and we look forward to their full implementation. Among other things, we suggested that:

- The Office operate a legal information hotline, staffed or closely supervised by an attorney;
- The Office provide advice and assistance to unrepresented tenants in administrative proceedings, including tenant petitions;
- The office work with attorneys and organizers on outreach and education efforts;
- The office make appropriate referrals to legal service providers or tenant organizers;
- The office develop systems to track the delivery of services and ensure confidentiality of information shared by tenants.

As a continuing work in progress, the Office of Tenant Advocate has not yet put systems in place to accomplish these goals. We are confident that those establishing the office, including Dr. Canavan and Ms. Shreve, share the objective of making it as effective as possible – and we hope that in the coming months, the Office will begin to fulfill the promise of its legislative mandate and budgetary commitment. Toward that end, we ask that this Committee hold regular oversight hearings, perhaps on a quarterly basis, until the Office is fully operational and effective.

Thank you.